

REMARKS

Initially, applicants would like to express their appreciation to Examiner Kerri M. Dyke for the courtesies extended to attorney James Milton during a telephone conversation on February 9, 2006. The telephone conversation involved a discussion of the rejection of claim 1 under U.S.C. § 102(b). No agreement was reached on whether a proposed amendment of applicants' claim 1 overcomes the rejection.

Claims 1-39 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1-7, 9-10, 14, 17-23, 28-29, 33-34, and 36 were rejected under 35 U.S.C. § 102(b). Claims 15-18 and 27 were rejected under 35 U.S.C. § 103(a). Claims 11, 13, 24-25 and 30 are allowable subject matter.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 11, 13, 24-25 and 30 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejection Under 35 U.S.C. § 112

Claims 1-39 were rejected under 35 U.S.C. § 112, second as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully traverse this ground of rejection.

First, with regards to claims 1-39, the Office Action states that the term "processorless" is indefinite. As known by those skilled in the art, a processor refers to hardware that executes software. As clearly shown in applicants' FIG. 5 and FIG. 6, the central equipment, i.e., central core, is a logic device, i.e., AND gates and OR gates, that does not execute software. Also, "processorless central equipment 107 (FIG. 1) omits processor 502 (FIG. 5)", as stated on page 6, lines 17-18 of applicants' specification. Thus, the central equipment, i.e., central core, is "processorless" and the term "processorless" is definite.

Second, with regards to claims 3, 5, 10, 19-20, 23, and 35, the Office Action states that the term "substantially small" is indefinite. Also, with regards to claim 8, the

Office Action states that the term “substantially equal” is indefinite. However, applicants assert that one of ordinary skill in the art would know what is meant by “substantially small” and “substantially equal”. Also, the term “substantially” when used in conjunction with another term to describe a particular characteristic of the claimed invention is definite, as stated in MPEP 2173.05(b).

Applicants have amended claim 4 to delete the term “substantially”.

Applicants have amended claim 24 to replace the term “substantial number” with the term “majority”. Applicants assert that one of ordinary skill in the art would know that the term “majority” means more than half.

Applicants have amended claim 25 to replace the term “coincident” with the term “simultaneously”.

In view of the foregoing, applicants submit that claim 1-39 are allowable under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 102 (b)

Claims 1-7, 9-10, 14, 17-23, 28-29, 33-34, and 36 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent Number 4,119,807 issued to Nahay on October 10, 1978.

Applicants have avoided this ground of rejection for the following reasons.

Applicants’ claim 1, as amended, now recites:

“a first communication node of a plurality of communication nodes connected with processorless central equipment, wherein the first communication node sends one or more first portions of node-output information to the processorless central equipment, and wherein the first communication node is not limited to a telephone;”

Nahay does not teach this limitation. Instead, Nahay discloses a PCM time division multiplex communications system having 128 audio input and 128 audio output lines. The Examiner asserts that telephones attached to element 10, i.e., the 128 audio input lines, equates to the “a first communication node of a plurality of communication nodes connected with processorless central equipment”, limitation in applicants’ claim 1.

Even assuming that a telephone could be called a “communication node”, the fact remains that, contrary to applicants’ claim 1, Nahay’s first communication node is limited to a telephone. Thus, Nahay is missing “the first communication node is not limited to a telephone”, as recited in applicants’ claim 1.

Thus, the clear teaching of Nahay is that a first communication node of a plurality of communication nodes is connected with processorless central equipment, and the first communication node is limited to a telephone.

In view of the foregoing, applicants submit that Nahay does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Nahay. Since claims 1-7, 9-10, 14, 17-23, 28-29, and 33 depend from allowable claim 1, these claims are also allowable over Nahay.

Independent claims 34 and 37 each have a limitation similar to that of independent claim 1, which was shown is not taught by Nahay. For example, claims 34 and 37 recite, “wherein the first communication node is not limited to a telephone”. Therefore, claims 34 and 37 are likewise allowable over Nahay. Since claim 36 depends from claim 34, this dependent claim is also allowable.

Rejections Under 35 U.S.C. § 103 (a)

Claims 8 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 4,835,764 issued to Sulzbacher et al. on May 30, 1989.

Claims 12 and 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 5,883,986 issued to Kopec et al. on March 16, 1999.

Claims 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 5,057,932 issued to Lang et al. on October 15, 1991.

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 3,649,763 issued to Thompson et al. on March 14, 1972.

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 4,112,497 issued to Layland et al. on September 5, 1978.

Claims 37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of U.S. Patent Number 6,779,129 issued to Gregg et al. on August 17, 2004.

Claims 38 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Kopec, and further in view of Gregg et al.

Applicants respectfully traverse these grounds of rejection.

Claims 8, 12, 15-16, 26-27, and 31-32 depend from claim 1. Claim 35 depends from claim 34. Claims 38-39 depend from claim 37. As noted hereinabove, Nahay does not teach “the first communication node is not limited to a telephone”, as recited in applicants’ independent claims 1, 34, and 37. Sulzbacher, Kopec, Lang, Thompson, Layland, and Gregg do not teach or suggest the elements either. Thus, claims 8, 12, 15-16, 26-27, 31-32, 35, and 38-39 are allowable over the proposed combinations under 35 U.S.C. § 103(a).

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carmen B. Patti", written over a horizontal line.

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